L. R 396-92

P38

G. R. S. IX-5]

Previous references.

(1890-91)
~~191~~
(municipal)

File No. 26-90

Serial Nos.

91-11

Later references.

~~[illegible]~~

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. ~~[illegible]~~ 1-11

For ~~Part~~ B for September 1893

SUBJECT.

Representations of V. Seshachalam Modaliar for per
to build a house on Survey No. 15 in Uppariahalli
B'lore ——.

W D 1250—GPB—30,000 28-1 18

Indexed

Petition No. 635 dated 5th Sept. 92

The facts of the case are briefly as follows:— Petitioner Seshachellum Mudaliar applied on 31st May 1890 for permission to erect a building on a certain piece of land belonging to him and he was asked to supply certain information which he did not. Subsequently however on the 26th August 1890 he renewed his application to build on his garden land survey No. 15. The application was granted by the D.y Collr. on 2nd Sept 1890. Subsequently the permission was withdrawn on 15nth April 1891 under the Orders of Govt. dated

13nth January 1891. and
the Construction of the
house stopped on the
ground that the
locality is within the
area prohibited by the
order of Govt. dated
7nth July 1887. The
present appeal is
against this order
I note that the order of
1887 does not clearly
prohibit the erection
of houses within the
area in which
petitioner's land is
situate. It merely
states that "it is
desirable that the
City municipality
should prohibit
the building of new
houses" between
certain boundaries
which include

petitioner's land, but the municipality did not issue and publish any order prohibiting building within those boundaries. A notification was however published July 1892 prohibiting buildings within the boundaries between which petitioner's land is situate.

Seeing that petitioner Commenced building his house with the sanction of the President of the municipality, and that there was no notification prohibiting buildings within the area when the President granted the permission the withdrawal of the permission seems to be hard. But, as,

the order was
issued by the
Dewan the matter
will be submitted
to him for
reconsideration.

25/10/92

28/10/92.

I have carefully considered the point raised in property Contonment
I understand letter No. 2 7 Jns 1887 as prohibiting
the any new buildings on the Site in question. Such
prohibition was ordered to protect Millers tanks
from pollution in the interests of the Cantonment
of the British Troops. The Conduct of the
Municipal Officials in issuing permission to built in
the present Case was due to reprehensible & inadvertence
to Standing orders and not to any misapprehension
its meaning. It is most undesirable from
Every point of view to make any exceptions
to the orders of 1887.
Please draft for approval reply to Peter
to the above Effect. L. 3.2.92.
(Please note for minute of Office that the order of
1887 has the force of law if the question
of legality

I gather from the file that the question was considered by the Dewan & the two Councillors, & that it was finally disposed of by the Dewan's order dated 3rd Febry 92. I do not know what reason there is for reconsidering the subject.

The petitioner obtained the sanction of the Dy Commissioner & proceeded w the work for about five months, uninterrupted by officers of the Revenue department or the Municipality. It was the action which was taken by the Dewan which led to the issue of a prohibitory notice, & the petitioner has naturally enough applied to the Government for redress of his grievance. I think it is the duty of Govt to pass orders on his appeal.

The petitioner situated

within municipal limits, he
ought not to have commenced to build
without having obtained the previous
sanction of the President of the Municipality?
(Vide secs 116 & 148). If he has sustained
any loss he has to thank himself. He
knew that he had to obtain the sanction of
the municipality as we may gather from
the fact that he made his application in
the first instance to the municipality.
I do not know why he afterwards changed
his mind & applied to the Auditor instead
the sanction which was given by the Dy
Commissioner cannot be viewed as
the sanction of the Municipal President.
The application was made to the Auditor
of the Taluk & he in his capacity of
Auditor wrote to the Dy Commissioner
this was not the channel of communi-
= -cation between an applicant
& the Municipal President in 1890 or 1891
the very bold statement made by the

petitioner in the application be
made to the Architect in Sep 1890
makes me suspect that he consciously
suppressed the whole truth.

7 Sep 1893 A Ramachandraya

with Rev Collegiate

I do not agree that because
the sanction was given by the Dy Com^r
& not by the Pres^t of the municipality, both of
whom are combined in one person the
order becomes void. I myself think
that it is unjust to prevent Mr Jon building
a house in his own garden, after two offs
permission once granted by the Dy Com^r. & the
I however see that the case has been buildings have been commenced & work done
finally settled by the Govt. —
I do not Recommend the papers
are again sent to me. —

The Dy Com^r is requested to inform the petitioner accordingly

A Chentsalaiah
9/9/93

Read: —

Correspondence ending with petition no. 1348 dated 6th January 1893 presented by Seshachellam mudaliar praying for permission to proceed with the erection of a building in Survey no. 15 in the Upparhalli village near the Palace at Bangalore.

Order thereon. — on a careful Consideration of the point raised in the above Correspondence it is clear that the letter dated 7th July 1887 no. 2074/112 prohibits the erection of new buildings on the site in question. Such prohibition was ordered by Government to protect Miller's bank from pollution in the interests of the Cantonment and the British troops. The Conduct of the Municipal Officials in issuing permission to build in the present case was due to reprehensible and to a

Revenue Officials'

inadvertence to standing orders and not to any misapprehension as to their meaning. It is most undesirable from every point of view to make any exception to the orders of 1887. Petitioner Seshachellam mudaliar will be informed accordingly and his petition rejected.

JL

Note

I have drafted the above order in accordance with instructions dated 3/2/92. I would however submit that as the municipality issued no license to petitioner to build on the land in question, and the so-called permission to build was issued in the Revenue Department by the Dy Com[r] and the Revenue sheristadar has been blamed in Govt Pro. no 2718/72 of 6th June 1891 for omitting to bring the order of 1887 to the notice of the Dy Com[r], the censure on the 'municipal officials'

embodied in the portion I have marked blue, is not wholly deserved by them. I have moreover some misgivings as to whether we should base the rejection of the petition on the order of 1887. The words 'it is desirable that the City Municipality should prohibit the building of new houses' are certainly an injunction to the municipality to do so, but the question remains whether the municipality not having given notice to the public the mere existence of an executive order in the archives of the District Office without its publication in the recognised channel of public information by a notification in the Govt. Gazette, can take away an elementary legal right of the subject, other conditions being satisfied by the petitioner. I do not think that a Court of law would recognise it as of legal force without publication

in the Gazette. And if it is necessary to reject petitioners prayer I would put it on grounds less open to Cavil. If kindly approved I would issue the following draft order

order thereon.

Govt observe that petitioner entered upon the Construction of the building surreptitiously and without any valid authority. The permission granted by the Dy Comr on the recommendation of Seetharamiah, Amildar of the Bangalore Taluk, was one that was granted in his capacity as Dy Comr acting under the Revenue Code and not authorised to Convert agricultural land to a non-agricultural on payment of the penalty prescribed in section 61/3 of the Revenue code. That petitioner was aware of this is clear from his having petitioned to the Amildar for such Conversion, after having previously applied to the municipal authorities

permission to effect

for a license to build, in accordance with the municipal regulation, a license which he has not obtained up to date. The municipal authorities required information on sundry points before issuing the license under Section 232 of the municipal Regulations those authorities are legally empowered to demand such information, and petitioner in commencing the building without furnishing such information acted contrary to the provisions of the Regulation such an erection was therefore unlawful and the municipality have power under Section 150 of the Regulation to demolish the building and levy the expenses of demolition from petitioner under such circumstances petitioner's appeal must be rejected.

Papers incomplete
The Dewan intends
to reorder under the
papers are complete
plaud keep him
Dy. Sec. re matter
Awaiting papers promised

Sent to H.E. the Governor

13.

Dear Sanders -

Mr Chamberlain having considered the above case and minute thereon, his conclusion is that only wanted to know how far the Niekerk were blameless in the matter - The Dep[t]'s Report No 221 & 229 Aug[t] (with ant) contains full information - It shows that the Niekerk is not to blame & that the Gen Dep[t] are entirely to blame -

That Sekhukhuni should not build is decided in Tel[g] Conf No 278 of 6 June 91 - x

Sekhukhuni should pay for the damage done by his people & the Niekerk must pay the fine imposed on them with the Hut Tax & interest added in red ink -

30 Aug 93

From the Enclosure
Letter of Surveyor Mouritz
Allen & Grumbler (Lawyers) Barberton
Dec 6 1892 Claim for damages
2 Nov 1892 Claim withdrawn
That the Niekerks had been ordered by the Native Commissioner Leydenburg to remove their waggons from Sekhukhuni's location
That this was complied with
That Mr Mouritz & Mr Niekerk were present
That Mr Mouritz was ordered to remove his waggons from Sekhukhuni's location
That Mr Niekerk refused to do so
That Mr Mouritz was then ordered to remove Mr Niekerk's

15

In respect of the Order & the
Committee I have rec'd
a letter from Mr R Sherard Jun'
order of 3 2. 92
If that is the regular
as a formal order on first
meeting the application for
Recommendation may be
drafted in terms of Mr R Sherard.
Jun' note —
on the
remarks made
& the contents
Noted & Sent. AM
12/9/92

D
R 50

(General Serial No. 31.) 1378 16

1891. 71

From The Deputy Commissioner Bangalore District.

To The Chief Secretary to the Dewan of Mysore.

Dated 14th May 1891.

Despatched

Received

Enclosures No. 1 & V. Papers

General No.

D No. 122.

Has the honor to forward for sanction, the enclosed refund Bill No. 22 for Rs 45/-, payable to Seshachala Modaliar, holder of Survey No. 15 in the Oopparahally village, Bangalore Taluk, for the reasons stated therein.

2. The Vernacular file is enclosed for reference & obliging return.

Have the honor to be Sir Your most obedient servant

Offg. Deputy Commr

Bangalore 7th May 1891

Ground 26-90-1

Accountant

15/5/91

Principal.

Reference

6/21/5.

AT
18-5-91

ಕಲಂ ೨೨(೨) ಮತ್ತು ೨೨(೩) ಕರ್ನಾಟಕ ಭೂ ಕಂದಾಯ ಕಾಯ್ದೆ ೧೯೬೪ ಮತ್ತು ಕಲಂ ೨೨ ಕರ್ನಾಟಕ ಭೂ ಕಂದಾಯ ನಿಯಮಗಳು ೧೯೬೫ ರ ಅಡಿಯಲ್ಲಿ ಪ್ರಕಟಣೆ

ಕ್ರ.ಸಂ.	ಸರ್ವೆ ನಂಬರ್	ಹಿಸ್ಸಾ ನಂಬರ್	ಒಟ್ಟು ವಿಸ್ತೀರ್ಣ	ಪರಭಾರೆ ಮಾಡಲು ಉದ್ದೇಶಿಸಿರುವ ವಿಸ್ತೀರ್ಣ	ಪರಭಾರೆ ಮಾಡಲು ಉದ್ದೇಶಿಸಿರುವ ಜಮೀನಿನ ಪೂರ್ಣ ವಿವರಗಳು	ಪರಭಾರೆ ಮಾಡಲು ಉದ್ದೇಶಿಸಿರುವ ಜಮೀನಿನ ಪೂರ್ಣ ವಿವರಗಳು
					ಪರಭಾರೆ ಮಾಡಲು ಉದ್ದೇಶಿಸಿರುವ ಜಮೀನಿನ ಪೂರ್ಣ ವಿವರಗಳು	ಪರಭಾರೆ ಮಾಡಲು ಉದ್ದೇಶಿಸಿರುವ ಜಮೀನಿನ ಪೂರ್ಣ ವಿವರಗಳು
೧	೧೧೬	೦	೧೫-೧೦	೧೫-೧೦	ಪರಭಾರೆ ಮಾಡಲು ಉದ್ದೇಶಿಸಿರುವ ಜಮೀನಿನ ಪೂರ್ಣ ವಿವರಗಳು	ಪರಭಾರೆ ಮಾಡಲು ಉದ್ದೇಶಿಸಿರುವ ಜಮೀನಿನ ಪೂರ್ಣ ವಿವರಗಳು

ಪರಭಾರೆ ಮಾಡಲು ಉದ್ದೇಶಿಸಿರುವ ಜಮೀನಿನ ಪೂರ್ಣ ವಿವರಗಳು

17.

ਸਾਰੇ ਸਾਥੀ ਸਿੰਘ ਸਭਾ ਦੇ ਮੈਂਬਰ ਸਾਹਿਬਾਨ ਨੂੰ ਸੂਚਿਤ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਸਿੰਘ ਸਭਾ ਦੀ ਮਹੀਨਾਵਾਰ ਮੀਟਿੰਗ ਜੋ ਕਿ ਹਰ ਮਹੀਨੇ ਦੀ ਪਹਿਲੀ ਤਾਰੀਖ ਨੂੰ ਹੁੰਦੀ ਹੈ ਇਸ ਵਾਰ ਮਿਤੀ ੧ ਮਾਰਚ ਦਿਨ ਸੋਮਵਾਰ ਨੂੰ ਸਵੇਰੇ ੧੦ ਵਜੇ ਸਿੰਘ ਸਭਾ ਦੇ ਦਫਤਰ ਵਿਚ ਹੋਵੇਗੀ। ਇਸ ਮੀਟਿੰਗ ਵਿਚ ਸਭਾ ਦੇ ਸਾਲਾਨਾ ਜਲਸੇ ਦੀਆਂ ਤਿਆਰੀਆਂ ਬਾਰੇ ਵਿਚਾਰ ਕੀਤੀ ਜਾਵੇਗੀ। ਸਾਰੇ ਮੈਂਬਰ ਸਾਹਿਬਾਨ ਦਾ ਹਾਜ਼ਰ ਹੋਣਾ ਜ਼ਰੂਰੀ ਹੈ।

ਸੱਕਤਰ
ਸਿੰਘ ਸਭਾ ਗੁਰਦੁਆਰਾ ਬਾਬਾ ਦੀਪ ਸਿੰਘ ਜੀ ਸ਼ਹੀਦ

੧੫ ਫਰਵਰੀ

V. Sashalchelle Broodr.

In re Shrubsall's application

Rd. 10 55-92

Feb 11. Requisition to the Records for 1 of 27

16. Reminder to D.

18. Submitted with Draft, but (by direction) that he would not look into the draft till the Record ~~is~~ say whether the Proc of 27/7/87 was issued or not. Hence sent back to the General Records

28 Received Inv. Application & the file

March 1 L.F. 55 was sent to Chelsea Inspone

R.F.

11238

V. Pashalchellumkood

4

11238

REVENUE DEPARTMENT
BANGALORE DISTRICT

Dy. Commissioner

REVENUE DEPARTMENT
Date 29.9.90
No 989
BANGALORE DISTRICT

11238

1014

1042

REVENUE DEPARTMENT
Date
64

Proceedings of the Govt of Mysore.

Order No 11129/452 dated Bangalore 12th/13 January 91.

The Dy Commissioner of Bangalore is requested to explain at once the authority under which a house is being built North of Mr. Krishna Murti's present residence on the ground which drains into Nos 1 Miller's Tank in contravention of orders, on the subject, and to prevent further progress of the work.

2. The Dy Commissioner will further report whether any houses have recently been allowed to be built either at Koppara halli or Dobbspett. It is the wish of the Govt that no new buildings should be permitted to spring up in the localities above named.

(Sd) A. Seeneevasa Charlu
under Secy.

Copy
Maqbul Hussain Esqr
Rev: Member
Bangalore Distt:

Mysore District

Refund Bill for the year 1891-92

Heads of charge	Amount				Remarks.
Amount of refund to be made, for reasons stated in the column of remarks.	45	0	0		One Seshachella Mudliar, holder of Survey No. 15 in Doddaballi Village, Bangalore Taluk applied for permission thro' the then Amildar to build a house on a portion of the said number. This was granted in the ordinary course of business, on condition of his paying the usual Kandayam of 30 years on the said land. On receipt of Govt Proc No. 11129 / 45-2 dated 13th April 1891 the permission was withdrawn as it subsequently turned out that the erection of the house was within the prohibited area of City Municipality and that the order was inadvertently passed in the Revenue Department. Hence the amount of 30 years Kandayam recovered from the petitioner has to be refunded.

Sanctioned
(Signed) T. Ramachandra Rao
for Secretary
Chief Secretary

Bangalore Dist
Deputy Commr's Office
Dated 30th April 1891

(Signed) Syed Nasaroodin
Offg Deputy Commr
Bangalore Dist

P. T. O.

Certified that the sum of Rs 45-0-0 (Rupees only) has been realized and credited to the Treasury Account as per following particulars.

Date of Credit	Amount	Under what head	Being included in Total Rupees shewn in the Treasury account.
20-9-90	Rs as p 45.0-0	Other items of Land Revenue	45-0-0

Bangalore
12th May 1891

(Signed) M. Annaji Rao
Treasury Officer
Bangalore Distt

Audited
Asst Accountant.

Contents received
(Signed) Syed Nasaroolla
Deputy Commr

(9)

Read.-

Docket No 122 dated 14th May 1891 from the Dy Comm of the Bangalore submitting for sanction a bill for refund of Rs 45/ to Seshachella Mudr of Bangalore, being the amount recovered from him as fine for the appropriation for building purposes of 6 guntas of his land Survey No 15 in the Upparahalli village Bangalore Taluk, as the permission to build upon the land was withdrawn in accordance with G. O No 11129/452 dt 13th Janr 1891

Rd 26-90-2.

Order

The refund of Rs 45/- to Seshachellam Mudr is sanctioned. The bill will be forwarded to the Compr for audit.

To The Dy Comr Bangalore
" The Compr with the Bill

Chief Secy
25/5/91

No 2314-5/60 dt 27-5-91
1 one

F

1891-92.

No 1

Mee D.C. Bang Dt
Comptroller.

Dt 27 May 1891.
Dd. 29

No 2314-15-60

Sanct.a Refund Bill for Rs.
45/= in favor of
Mord.a of Bangalore, being
amount received from him
as fine for the appropri
for building purposes
of his land in the Uppanhalli
Village, Bangalore Taluk,
town
permission having been
since withdrawn

(General Serial No. 32)

33

189/92

No. 1012

Name of Petitioner. V Seshachalu

Village. C & M. station

Taluk. Bangalore

District.

Date of Arzi. 12/8/91

Date of Receipt. 14/8/91

Date of Disposal.

No. of Enclosures. Two.

mul 26-90-3

ABSTRACT.

Re-submits, duly stamp
his Appeal No. 6886 10/7/91
Bangalore Amildar's order
of 15.4.91 that the erection of
building then in progress
land No 15 in Upparla
village, shd be stopped as
the work had been co-
structed, in deviation
with permission previously
granted

Amildar's Notice 7/91
Petr:-

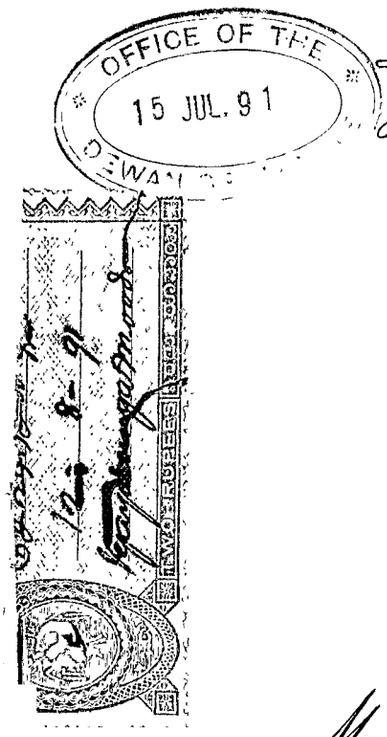
The former order &c.

; is hereby Cancelled,
I have ordered that
ilding shall be erected
the site. The Land you
have paid will be
unded after the passing
refund bill.

14 No. 38
688

To

K. Seshadri Iyer Esquire, B.A., B.L., C.S.I.,
Dewan to
His Highness the Maharajah
of Mysore.



The Memorial of
V. Sashachellum Moodelliar,
residing in the Civil and Military
Station, Bangalore.

Most Humbly and Respectfully Sheweth:—

I ——— That your Memorialist purchased a piece of land in the Upparhully Village in 1885 for the sum of Rs 2000/, and the adjoining piece in 1890 for Rs 1500/.

II ——— That the said piece of land is known as No 15 Upparhully Palace road and is in area 2 acres and 16 goontas.

(2)

III That in August 39 1890, your Memorialist applied to the Revenue Authorities for permission to build a Bungalow on the said piece of land.

IV That the Taluk Amildar laid your Memorialist's said application before the Deputy Commissioner, who was pleased by his Order No 656 bearing date the 15th day of September 1890 to receive from your Memorialist 30 years' Kandayam for the said land, as also to obtain a Muchilicka from your Memorialist binding himself to abide by, and conform to, the Rules of the Revenue Survey Authorities, and thereafter to accord him the necessary sanction to build upon the said land.

V That the Taluk Amildar did thereupon call upon your Memorialist by his Order No 89 bearing date the 25th day of September 1890 to pay up the 30 years' Kundayam and to execute the necessary Muchilicka.

VI — That your Memorialist thereupon paid the Kandayam, executed the Muchilicka and obtained permission to build on the said land.

VII — That your Memorialist thereupon cleared and levelled the ground at a cost of Rs 500, laid the foundation for a house up to the basement at a cost of Rs 2,000/, imported timber from Madras at a cost of Rs 2,500/, made advances to Woddurs for the supply of Stones to the extent of Rs 500/, and further advanced Rs 500/ for the supply of bricks.

VIII — That meanwhile the Taluk Amildar by his order bearing date the 15th day of April 1891, prohibited your Memorialist from continuing to erect the building then in progress, intimating to him at the same time that the permission to build had been cancelled and that the 30 years' kandayam would be refunded on application to that Officer.

IX — — — — — — — — That your Memorialist to was therefore of necessity, compelled to sell the timber he had at a loss of Rs 500, for had he continued to allow the timber to lie exposed to the sun and rain the logs would have cracked and become unfit for building purposes.

X — — — — — — — — That the Order of the Taluk Amildar calling upon your Memorialist suddenly and in the midst of the work to stop the erection of the building has indeed worked a great hardship upon him and subjected him to a very considerable loss.

XI — — — — — — — — That your Memorialist was induced to pay a large sum for the land more for a building site than for agricultural purposes; and he was induced only after he had obtained permission to build, to lay out a considerable sum of money in levelling the ground, in putting in the foundation and in collecting the building materials.

(5)

XII — — — — That the said Order of the Taluk Amildar is, it is respectfully submitted, very arbitrary, and if your Memorialist be not permitted to erect and complete the building he will suffer a loss of Rs 8500/-

Wherefore your Memorialist most humbly and respectfully prays that your Honour may be pleased to send for all the papers herein-above referred to and to accord him permission to continue and complete the building and thereby save him the loss of Rs 8500/-

And Will Ever Pray.

V. Sashalu Chetty Srood^r

Dated Bangalore
10th July 1891

43

(General Serial No. 32.)

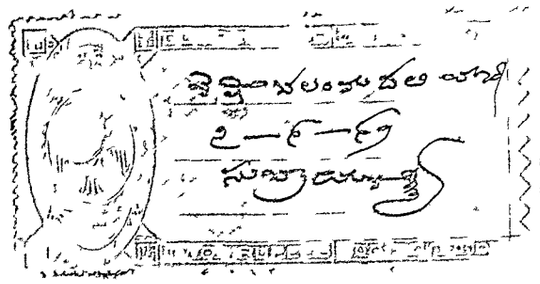
189 2.

No.	635
Name of Petitioner.	V. Seshai
Village.	C & M.
Taluk.	
District.	Bang
Date of Arzi.	5 Sept
Date of Receipt.	9
Date of Disposal.	
No. of Enclosures.	Nil

Journal 26 90-4

ABSTRACT.

States that he purch piece of land in O.T. Village Bangalore for Rs 3500 and pays Years' Conveyance he obtained permission of Rev. dept. for constr building thereon: that after he Commenced the construction, Municipal authorities issued order prohibiting Prays for order to the contrary



To

V. Seshadri Iyer, Esq., C. S. I.,

DEWAN BAHADUR TO

His Highness the Maharajah of Mysore

The Humble Memorial of V. SASHACHELLA MOODELLIAR, *Residing in the Civil and Military Station, Bangalore.*

Respectfully Sheweth,

THAT Your humble Memorialist is the owner of land, Survey No. 15, in the Upparhalli Village of Bangalore Taluk, which he purchased for Rs 3,500 for building purposes.

II. THAT he applied in June 1890, to the City Municipality, Bangalore (in whose limits the land in question is situate) for permission to construct a building thereon.

III THAT the site was personally inspected by the Municipal Engineer, who gave it as his opinion, that the construction of such building would add to the general appearance of the locality and recommended that permission to build should be granted to the Petitioner.

IV THAT thereupon, Your humble Memorialist was ordered, (*vide* Endorsement No. 277, dated 30th June 1890) to furnish particulars of the land and the assessment imposed thereon, &c.

V THAT, while furnishing the required information, Your humble Memorialist repeated his application to the Amildar of the Bangalore Taluk, who, finding no objection to the request, recommended his case to the Deputy Commissioner who was also the President of the Municipality and who (*vide* Order No. 606, dated 15th September 1890) granted the necessary permission to build, on condition of the payment of 30 years' Candayam imposed upon the land, as per rules.

VI. THAT, in obedience to the said order, Your humble Memorialist paid the 30 years' Candayam to the Bangalore Taluk Treasury, executed the necessary *muchulka* and commenced building operations shortly after.

VII THAT Your humble Memorialist did not, then, deem it necessary to apply to the City Municipality for a second permission, as the orders conveyed to him by the Amildar of the Bangalore Taluk, (*vide* Order No 89, dated 2nd September 1890) based, as they were, on the sanction accorded by the Deputy Commissioner, who was the President of the Municipality, were explicit and sufficient.

VIII. THAT Your humble Memorialist continued the erection of the building, at a very heavy cost, for a period of five months, without any molestation either on the part of the Revenue or the Municipal Authorities who were fully aware of such a construction; and that large advances were given to Contractors and other workmen to the extent of Rs. 5,000 including the cost of the work done

IX. THAT after the foundation and the basement had been completed (or about five months after the date of the first order) the Taluk Authorities and the Municipality issued a notice to Your humble Memorialist to stop the work, as the land in question, it was alleged, formed part of the area in which erection of buildings was prohibited and that the sanction of Government had necessarily to be obtained, before any work could be begun.

X. THAT thereupon Your humble Memorialist submitted petitions to Government on the 21st August 1891 and 2nd February 1892, representing his grievances and the loss he was put to, in consequence of the sudden stoppage of the work; but no final orders have yet been passed in the matter.

XI. THAT Your humble Memorialist begs to again represent that he purchased the land at a very heavy price, with the sole object of erecting a building thereon; that the land in question did not come within the limits prohibited by the Chief Commissioner's Gazette Notifications Nos. 13 and 188 of 23rd April 1868 and 24th October 1872 respectively, which were the only Notifications of the kind, as in that case, the Memorialist would *never* have purchased it for so large a sum; that his application to the Revenue and Municipal Authorities received every support, and that the necessary permission was granted by them both; that the progress of the building was left unmolested for so long a period as five months both by the Municipality and other officers of the Government who must have seen the building; that Your humble Memorialist has spent large sums over the building; that the sudden stoppage of work has put the Memorialist to additional loss, in the shape of wastage of materials, loss of rent, &c.; that the above, Your humble Memorialist submits, are facts which require the favorable consideration of Government.

XII. THAT if the Memorialist's application to the Municipality or the Revenue Authorities had been rejected in the first instance, the Memorialist would not have been obliged to spend so large a sum as Rs. 5,000 on the erection of the building. The prohibition of work, after commencement of work and consequent expense, has tended to put Your humble Memorialist to additional loss and anxiety.

XIII. YOUR humble Memorialist, for the reasons above set forth humbly begs the Government to send for all the papers connected with his case and after perusal, pass orders, cancelling the prohibitory order and granting him the necessary permission to proceed with the construction of the building.

For which act of justice, Your humble Memorialist, will ever pray.

BANGALORE,
5th September 1892.

V Sashachellumboodr

June 26-90-5

(General Serial No. 30)

1893.

From

To Dy Comrs

The ~~Chief Secretary to the~~
~~Dewan of Mysore~~
Bangalore &c

Dated 15
Despatched 15 } March 1893
Received

Enclosures No. R L 1789

General No. 15-134
C.J. No. 55-92

£ 7 39 - -

Requests that the entire Vernacular & English correspondence in connection with the application of one S. Rachalla Boodr. for permission to

References to be marked.

Mysore Govt. C. Press, Bangalore —21-12-92.—2000.

d a ded
the Bl. report
to in ~~the~~ No 9257
23rd March 1891, may
be forwarded to the
Bde at an early
date. By Order

Chief Secretary
GHJ

[drafted as per verbal orders of the Chief Secy]

Lbs. Mark 19.14

48

(General Serial No 30.) 11911.

1892-93

From The Dy Commissioner
Bangalore District

To L2219
The Chief Secretary to the Govt
of Mysore

Mysl 26-90-6

Dated 18th April 1893.

Despatched 19th Do

Received 20/4

Enclosures No.

General No.
D No. 1028

His docket No 15134
R.T. 55-92.
of the 15th Ultimo, requesting
to forward the entire
Vernacular and English
Correspondence connected
with the application
of one Seshachela Mood
liar for permission to build
a house on Survey No 15
in Oosparhalli.

"

With reference to the above
has the honor to state that
the Vernacular Correspondence

M. G. C. P. Bangalore—27-1-93.—5,000.

to Government
with this Office docket
No 122 of the 14th May 1891
has not been returned
to this Office. The English
file not being complete,
owing to some of the
papers having been sent
to the City Municipal
Office; the same will be
collected and submitted,
as soon as possible.

[illegible]

For Dy Commissioner

WSH

Mund 26-90-7

(37) 50

To,

The Dy Comm^r

Bangalore Distt

Dated 31st July 1893 1st August

Rl 192

1939

Lr 396-92 31/8/93

Request that the English correspondence in connection with the application of Secha-chala Mudaliar for permission to build a house on Survey No 15 in Cooppasandra promised in his Dll-No 10289 18 April 1893 may be forwarded without further loss of time.

By Order

Chief Secretary

(General Serial No. 30.)

189

From

The Chief Secretary
to the Dewan of Mysore.

To

Dated

Despatched

Received

Enclosures No.

General No.
No.

References to be marked.

Mysore Govt. C. Press, Bangalore.—9-1-93.—3,000.

(General Serial No. 30.)

2421 57

1893 - 94 L457.

From The Dy Commissioner
Bangalore District

(37)

Dwnl 26-90-8

To

The Chief Secretary to the Dewan
of Mysore.

Dated 19th } August 1893.
Despatched 21st }

Received 22

Enclosures No. 1 file containing copies

General No.
D No. 221
In continuation of this office No. 1028
dy 18th April 1893.

SUBJECT.

Submits copies of correspondence in re Seshachella Moodeliar's attempt to build a house at Oopparhalli within prohibited locality

L.B. Branch
Where the papers
are now
21/8

References (to be entered only in the Dewan's Office).

5a — Dy Commissioners Office.

D/c. 221

Bangalore District.

Such certain Corrs: 166 Dated 19th August 1893.

To

(33)

The Chief Secretary to the Dewan
of Mysore.

Sir,

In continuation of this Office docket No. 1028 dated 18th April 1893, reporting that the vernacular records connected with Seshachela Moodliars' attempt to build a house at Ooppar-halli had not been returned from the Dewan's Office and that the English records would be forwarded, as required, I have the honor to report that some of the papers concerned have been either lost or mislaid while passing between the Municipal and the District Offices, which I regret. There was only one paper received in my time and it is not lost. This, and as many Office copies of other papers, as could be got, are enclosed. I have, however, been able from the Registers to get at an almost unbroken history of the case which

(25)

I shall give

2. On the 2nd June 1890, Seshachela Moodlear applied to the City Municipality for a license to build a house on his land. On the 30th Idem, he was asked to state what village the land belonged to and its number, Assessment, &c. On the 3rd September/90, the Amildar of Bangalore forwarded to the Deputy Commissioner, Seshachela Moodlear's application, to pay 30 years' Kandayem on 6 guntas of No. 15 of Oopparhalli and build a house thereon, and fully describing the situation of the land and its proximity to the Palace, sought orders as to whether the application might or might not be granted - On the 12th Idem, the then Deputy Commissioner replied in the affirmative On the 25th Idem, the Amildar informed Seshachela Moodlear of the order of the Dy Commissioner and on the 29th Idem, reported to the Treasury Assistant Commissioner, the collection of the 30 years' Kandayem and forwarded to him the Muchelka obtained from Seshachela

Moodlear &c. On the 12th January 1891 the Government called on the Deputy Commissioner to report the authority on which the house in question was being built &c., (copy enclosed). On the 28th Idem the Dy Commissioner drew the attention of the Vice President to the Notification prohibiting buildings in certain localities, called for explanation why Seshachela Moodlear was allowed to build the house and fined the Moodlear Rs 50/. for having commenced the building without a license (Copy enclosed). The Deputy Commissioner on the 29th Idem wrote to the Amildar, cancelling the permission granted to Seshachela Moodlear as he obtained it, keeping back the reply he obtained from the Municipality and ordering the refund of the 30 years' Kandayem paid by him. On the 27th January 1891, Seshachela Moodlear wrote to the Municipality stating that he was constructing the house on payment of 30 years' Kandayem under the orders of the Deputy Commissioner and praying that he might not be obstructed. On the 8th February '91 he was informed that the

land in 59 Question could not be built on under the orders of the Government, and that he did wrong in commencing the house without a license. On the 23rd March 1891, the Deputy Commissioner reported to the Government the circumstances of the case (The letter is numbered 925, but is not forthcoming) and on the 11th April 1891, received a report regarding the same from the Municipal Vice President (No. 33 not in file). On the 15th April 1891, the Deputy Commissioner sent a Reminder to the Amildar of Bangalore. On the 23rd Idem, the Amildar reported that he had issued a notice to Seshachela Moodlear, prohibiting the construction of the building, but that it had been served on his house, owing to his absence and sent a bill for the refund of the 30 years' Kandayem collected from him. The Deputy Commissioner Recommended the refund on the 14th ilbay (Copy enclosed) and the Government sanctioned it on the 27th Idem (No. 2314-S not on file). On the 6th June 91,

60
the passed orders, Status

the explanation furnished was

unsatisfactory, that the Notification of the prohibited area should have been brought to the notice of the Deputy Commissioner, that the Revenue Sheristadar was responsible for this omission, that a complete list of the prohibited localities should be sent to the Bangalore Amildar; the Municipal Office and the Government (No. 2718/72 not on file). On the 12th June 1891, the Amildar reported to the Deputy Commissioner, that he had received a cheque for the refund (above referred to) from the District Treasury; but not the Records of the case. On the 19th June 1891, the Dy Commissioner requested the Vice President to send the list of the prohibited areas (No. 460 not on file) — On the 22nd June 1891 the Vice President asked the Dy Commissioner for a copy of the Notification regarding lands reserved for public purposes (No. 395 not on file) and on the 26th Idem, he was referred to the Mysore Gazette, Volume XIV No. 5 (No. 517 not on file). On the 8th July 1891 the Government sent a reminder to the Dy Commissioner for the list (No. 4210/119

L.T.

not on file) and on the 11th Idem the Dy Commissioner sent a reminder to the Vice President (No 616 not on file). Receiving from the Vice President on the 14th July/91 (No 530 not on file). On the 31st July/91 the Dy Commissioner sent the list of the prohibited areas to the Government and suggested certain modifications (copy of letter and list enclosed). On the 17th August 1891 the Government asked the Dy Commissioner to forward a draft Notification and to see the Dewan with it (copy enclosed) which was sent on the 10th March/92 (copy of letter and Notification enclosed). On the 2nd July/92 the Government was pleased to issue the Notification (copy enclosed). This closes the case.

3. Extracts from Registers three in number are also enclosed.

4. From the papers before me, I am unable to find out whether Rs 50/- fine imposed by Mr Nasrunddin was collected from Seshachela Moodliar. If necessary I shall enquire about it and report the result.

I have the honor to be
Sir
Your Most Obedient Servant.

M Kumaresa

To Dy C

Proceedings of the Government of Mysore,

order no. 11129/452 dated 12th/13th January 1891

The Dy Commissioner of Bangalore is requested to Explain, at once, the authority under which a house is being built north of Mr. Krishna murti's present residence on the ground which drains into no: I Miller's Tank in contravention of orders on the Subject, and to prevent further progress of the work.

2. The Dy Commissioner will further report whether any houses have recently been allowed to be built either at or [illegible] to be kept

59 It is the wish of Government that
no new buildings should be per-
-mitted to spring up in the loca-
-lities above named.

/sd/ A Sreenivasacharlu
Under Secretary

"CB"

Wdm. Wilson
for Secretary

No 1430

From The Commissioner
Bangalore District

To The Vice President
City municipality

Dated 28th January 91

Adverting to this Office memo
No: 757 of 14th July 1887, forwarding
for note and guidance Government
letter no: 2074/112 of the 7th Idem, prohi-
biting the construction of new houses
in certain localities near the Palace,
has the honor to request to be
furnished, at an Early date, with
an Explanation of the circumstances
under which one Seshachala mandlia

was allowed to build a house in
the said locality without obtaining
a license therefor.

2. It is understood that Seshachala moodelliar first applied for permission to construct a building and that the matter was held in abeyance pending the receipt of certain information which he was then directed to furnish. It is to be highly regretted that the construction of the building was allowed by the municipal Servants concerned, though the municipality was fully aware that Seshachala moodelliar's action was in direct contravention of the municipal Regulations. Under such circumstances, it is clear that he was not justified in

in constructing the house without obtaining a license or ~~permit~~ of it as required by Section 148 of the municipal Regulations, penalty of Rs 50/- Should therefore be at once levied from him and a notice issued to demolish the building immediately and that in default, his case should be dealt with in accordance with the provisions of Section 150 of the said Regulations.

3. From facts since brought to notice, it is ascertained that the land is situated within the prohibited area. The undersigned trusts that the Vice President will warn the several outdoor officials to strictly watch and

allowed to be raised within the said limits hereafter. The plan received from Seshachala modelling with his original application should also be submitted for reference

4. A copy of Government Proceedings No: 11129/452 of the 13th instant is enclosed for information and strict guidance -

/sd/ Syed Nasiruddin

by Commissioner

"Copy"

M. Sampathrao

for by Commissioner

mvs

Commissioner

D No. 122 &c

From The Deputy Commissioner

Bangalore District

~~[illegible]~~

To The Chief Secretary

to the Diwan of Mysore

Dated 14th may 1891

Has the honor to forward for sanction the Enclosed Refund bill no 22 for Rs 45-- -- payable to Seshadala moodeliar, holder of Survey no. 15 in the Sippanhalli village Bangalore Taluk, for reasons Stated therein.

2 The Vernacular file is Enclosed for reference and obliging Early return

"C.R."
M Ramachandra

[illegible] Syed Nasrudeen
Deputy Commissioner

~~[illegible]~~ 11

D No 379

Dy Commissioner's Office S.
Bangalore District
Dated 31st July 1891

From

The Deputy Commissioner
Bangalore District

To

The Chief Secretary to the Dewan
of Mysore

Sir,

In reply to Government Proceedings No 2718/72 of the 10th Ultimo, I have the honor to forward herewith a statement prepared on reference to the records of this and the City Municipal office, shewing particulars of the localities in the City on which the construction of new buildings has been prohibited.

2. There seems to be some slight discrepancy in the description of the boundaries, given in the late Commissioner's Notification No 13 dated 23d April 1868, or at any rate, owing to recent changes and as the Miller's Tank (No 1) lands

do seem to have formally
notified, as above, ——————— I would
request that they may be republished
in the Gazette with revised boundaries,
and with the addition of the Golf ground,
&c, which may also be considered by
Government to be reserved.

3. A revised notification will be
duly submitted for publication, on
receipt of orders.

Sd/ Syed Nasseeruddin
Offg Dy Commissioner

copy
Mason
for Dy Commissioner

Dewd

Dated 26-10-92 67

From

The Chief Secretary

to the Govt of Mysore

To The Deputy Commissioner

Bangalore &c

Dated 17th August 1891

No. 5972/95

His letter no 379 dated

31st ultimo, Submitting a

Statement Shewing particulars

of the localities in the Banga-

lore City, where building

of houses is prohibited

The Deputy Commissioner is

requested to be good enough

to Submit a draft notification

first to see the Dewan personally
with it

"By order"

/s/ a Srecivasachariar

for Ch: Secretary

"Copy"

Wallace

for Secretary

WWS/

To

The Chief Secretary
to the Dewan of Mysore.

Dated 10th March 1892.

D. No. 1013.

His docket No. 5972/175
dated 17th August 1891. re-
requesting to submit a re-
draft notification shewing
the localities in the Bangalore
City where building of houses
is prohibited.

Referring to the re-
above, has the honor to sub-
= mit a draft notification
for approval and publica-
= tion in the Mysore Gazette.

By V. P. Madhava Rao
Deputy Commissioner
Bangalore D t.

10

Notification.

In supersession of the late Chief Commissioner's Notification No. 188 of 24th October 1872 published at Page 97 of the Mysore Gazette, Volume XIV No. 5 of 1872, it is hereby notified for general information and strict guidance of the officers concerned, that all lands within the boundaries specified below are reserved for public purposes, and the erection of new buildings thereon hereby prohibited.

1. On the North. } The Polo ground near the Highground Police Station, the Residency and the Mysore Government Office (Cubbon park) limits.

On the West. } From the Highground Police Station Southwards by the Avenue Road up to Kutchna Chetty's chattram.

On the South. } District Office

Road from Kitchiah Chetty's Chattram Eastward, to the Cenotaph. 7/

On the East. } Sydney Road, from the Cenotaph, Northwards, upto the Cubbon park Police Station near the Residency Office.

(2) On the North. } The Madras Railway line by the Palace gate up to the Railway Bridge near the Contonment (Cant and Military Station) Railway Station.

On the East. } The Millers (1st) Tank Road from the Railway Bridge up to the Dobbispet Police Constables Quarters —

On the South. } Cunningham Road from the Dobbispet Police Constable's quarters to Catticart Road crossing.

On the West } Catticart Road crossing up to the Palace gate Railway Crossing.

(3) The Golf ground. } To the left (South west) of the Bellary Road and the tope and ground attached to it, to the right of the R'a.

Note:- 12

Sinking of wells and ex-
-cavation of any kind for any purposes
whatever are also prohibited within
the areas specified as above, without
special previous sanction of the
Government.

By V. P. Mandlekar & Co
Dy Commissioner

"Copy"

Mandlekar
for Dy Commissioner

~~Dwarf 2k-76-11y~~

Proceedings of the Government of His Highness the Maharaja of Mysore

...

Read:—

Correspondence ending with docket No: 1013, dated 10th March 1892, from the Dy Commissioner, Bangalore District, regarding the localities in Bangalore City where house-building is prohibited.

...

Order thereon No: 767-8, dated
R. Ft. 53-92
Bangalore 2nd July 1892.
18

The Government of His Highness the Maharaja resolve to issue the following Notification on the Subject of the Dy Commissioner's Communication above cited.

Notification.

1. In re-publishing hereunder, for general information and strict guidance

the late

Madras Railway Level-crossing at the Palace South Gate.

iii On lands assigned for public purposes whether within or without the boundaries described in the preceding paragraphs, no new buildings or extensions of existing ones shall be erected without the express previous sanction of the Government.

(iv) All Government and Municipal officers are hereby required strictly to enforce the conditions of this Notification.

(Signed) T. Ananda Row
Chief Secretary

Notification by the Chief Commissioner of Mysore

No: 188 The 24th October 1872.

The following Notification of the

3rd

of the Chief Commissioner, defining the boundaries of the ground reserved for public purposes near the Government Offices and the Division Cutcherry at Bangalore, is re-published for general information and strict guidance.

Notification No. 13 dated 23rd April 1868

"The following is a description of the "boundaries of that portion of ground in the "vicinity of Bangalore which has been "reserved for public purposes, and in which "the Commissioner has prohibited the erection "of any building without district permission "to be obtained under a grant from the "Mysore Government"

"The sinking of wells or any extensive "excavation for any purpose whatever, within the area re-
ferred to

"to, are also prohibited without permission
"having been previously obtained."

Boundaries

"On the North:— From the Police Lannah
"on the High Ground by the Central Jail to
"the Superintendents' Cutcherry."

"On the West:— From the Superintendents'
"Cutcherry to the Cenotaph"

"On the South:— From the ~~Superintendents'~~
"~~Cutcherry~~ Cenotaph, to the Police Lannah
at Jammunchery."

"On the East:— From the Police Lannah
"at Jammunchery along the boundary of
"Military limits to the Commissioner's Com-
"pound and thence to the Police Lannah
"on the High Ground".

By order.
(Sigd.) J. Suckle
Offg Secretary
(Sigd.) Anandra Row
Chief Secretary

4 Th 21

"Copies"

7

Mr Langhlessom

for Dy Commissioner.

(1)

1890-91

1112 Q
45 2 of 13th January 1891-
in The Under Secretary
to Govt
The Dy Commissioner
Bangalore District.

1. Requesting to explain, at once, the authority under which a house is being built North of Mr Krishna Murti's present residence, on the ground which drains into No 1 Miller's Tank and also to prevent further progress of the work.

(2)

1890-91.

R No 1430. of 28 January 1891
The Vice President -
to Govt
The Dy Commissioner
Bangalore District

2. Allowing one Seshachella Moodliar to build a house in certain locality near the Palace without obtaining a license - Calls for early explanation and requests to levy a penalty of Rs 50/- from him.

(3)

1890-91.

No 925 of 23rd March 1891.
The Chief Secretary
to Govt
Enclosure 1
The Dy Commissioner
Bangalore District.

3- Reporting the circumstances under which certain buildings was allowed to be built North of Mr Krishna Murti's present residence on the ground which drains into No 1 Miller's Tank.

(4)

1891 Q 2.
33 of 11th April 1891-
from The Vice President
to The Dy Commissioner
Bangalore District

4- Reporting on the cunning manner in which he has obtained a license.

5. Forwarding for Sanction refund bill No. 22 for Rs 45/ to be refunded to one Seshachella Moodeai

(5)
1891–92.
D No. 122 dated 14th May 1891
To the Chief Secretary
From the Dy Commissioner
Bangalore District

6. Sanctioning the Refund bill.

(6)
1891–92
No 2314-5 d/ 27th May 1891
From the Chief Secretary
To the Dy Commissioner
Bangalore District

7 Stating that the explanation is unsatisfactory and requesting to send a list of all prohibited localities within the limits of the City.

(7)
1891–92
No 2718 d/ 6th June 1891
From the Chief Secretary
To the Dy Commissioner
Bangalore District

8. Re building constructed by one Seshachella Moodeai without a license- Forwarding copy of Government orders on the subject together with previous correspondence, relating thereto and requesting to send a statement shewing the localities in which the erection of buildings have been prohibited by Government.

(8)
1891–92
R No. 460 d/ 19th June 1891
To the Vice President
From the Dy Commissioner
Bangalore District.

(9)
1891—92

No 318 dated 22nd June 1891.
From The Vice President.
To The Dy Commissioner
Bangalore District.

9. Requesting to send copy of notification prohibiting buildings on lands reserved for public purposes-

(10)
1891—92

R. No 517 of 26th June 1891.
To The Vice President
From The Dy Commissioner
Bangalore District

10. Requesting him to refer to the late Chief Commissioner's Notification Page 97 of the Mysore Gazette - Vol XIV No 5 of 2nd November 1872

(11)
1891—92

No 4210/419 of 8th/11 July 1891
From The Chief Secretary
To The Dy Commissioner
Bangalore District.

11. Requesting early submission of the list called for in his No 2718/72 of 6/11 June 1891 (vide reference marked 7)

(12)
1891—92

R No 616 of 11th July 1891
To The Vice President
From The Dy Commissioner
Bangalore District

12. Requesting early reply to this Office No R 517 dated 26th June 91 (vide reference marked 10)

(13)
1891—92

No 421 of 14th July 1891
From the Vice President
To The Dy Commissioner
Bangalore District.

13. Forwarding list shewing the localities in which erection of buildings is prohibited-

14 & 3 Submitting statement shewing particulars of the localities in the City where building of houses is prohibited.

(14)
1891-92.
Dy No 379 of 3rd August 1891
To the Chief Secretary
From the Dy Commissioner
Bangalore District

15. Localities in the Bangalore City where building of houses is prohibited - Requesting to submit a draft Notification, as proposed and first to see the Dewan personally with it.

(15) 1891-92
No 5972/175 of 17 & 24 August 1891
From the Chief Secretary
To the Dy Commissioner
Bangalore District

16. Submitting for approval and publication in the Mysore Gazette, draft Notification shewing the localities in the Bangalore City where building of houses is prohibited -

(16)
1891-92.
D No 1013 of 10th March 1892.
To the Chief Secretary
From the Dy Commissioner
Bangalore District.

17 - Resolving to issue a Notification defining the localities in the Bangalore City within which the erection of any building, the sinking of wells or any extensive excavation for any purpose whatsoever, is prohibited -

(17)
1892-93
No 768-8/55-92 of 2nd July 1892
(3rd August/92 Proceedings)
From the Chief Secretary
To the Dy Commissioner and
President City Municipal
Commissrs.

M Vaughillason
for the Commissioner

President's Office,
Bangalore City Municipality.

Extract from the Diaries, viz From and
To Canarese and English Registers

(1) Petition No 2892nd June/90.

From Subject.

Sesha Iyer
New Hall
Cantonment
Bangalore.

Requests permission for usual license to build a bungalow. Duplicate plans attached.

(2) ಅರ್ಜಿ ನಂ 277
ದಿ 30ನೇ ಜೂನ್ 1890
ಶೇಷಯ್ಯರವರಿಂದ ಬಂದಿರುವ
ಅರ್ಜಿಯಲ್ಲಿ ಅವರು ಕಂಟೋನ್ಮೆಂಟಿನಲ್ಲಿ
ಬಂಗಲೆ ಕಟ್ಟಿಸಲು ಲೈಸೆನ್ಸು ಕೇಳಿರುತ್ತಾರೆ

ಇವರು ಕಂಟೋನ್ಮೆಂಟಿನಲ್ಲಿ 29 ಅಡಿಗಳ
ಒಂದು ಅಳತೆಯಲ್ಲಿ ಆರಡಿಗಳ
ಅಂತರದಲ್ಲಿ ಸುಮಾರು 3000 ರೂಪಾಯಿ ಖರ್ಚಿನ

(3) ಅರ್ಜಿ ನಂಬರ್ 1682
ದಿ 27-1-91

ಈ ಅರ್ಜಿಯಲ್ಲಿ ಅವರು ಕಂಟೋನ್ಮೆಂಟಿನಲ್ಲಿ
ಒಂದು ಬಂಗಲೆ ಕಟ್ಟಿಸಲು ಲೈಸೆನ್ಸು

(4) ~~85~~
733.

ತಾ 29-1-91

ಶ್ರೀಲಕ್ಷ್ಮಿ ಅಂಡ್ ಸನ್ಸ್ ಬಿಲ್ಡಿಂಗ್ ಮೆಟೀರಿಯಲ್ಸ್ ಸಪ್ಲೈಯರ್ಸ್ ಅಂಡ್ ಕಮಿಷನ್ ಏಜೆಂಟ್ಸ್

ಬೆಳ್ಳಿಪಾಡಿ ಗ್ರಾಮದ ಸರ್ವೆ ನಂ 15 ಗುಂಟೆ ವಿಸ್ತೀರ್ಣ ಜಮೀನಿನ ಕ್ರಯಪತ್ರ ಬರೆದುಕೊಡುವ ಬಗ್ಗೆ ಮುಂಗಡವಾಗಿ ರೂ 5000 ಹಣವನ್ನು ಇಂದು ಪಡೆದುಕೊಂಡಿದ್ದು ಸದರಿ ಜಮೀನಿನ ಕ್ರಯಪತ್ರವನ್ನು ಮಾರ್ಚ್ 31 ರೊಳಗೆ ಬರೆದುಕೊಡುವುದಾಗಿಯೂ ಒಪ್ಪಿಕೊಂಡಿದ್ದು ಸದರಿ ಜಮೀನಿನ ಕ್ರಯಪತ್ರವನ್ನು ಬರೆದುಕೊಡುವ ತನಕ ಸದರಿ ಜಮೀನಿನ ಮೇಲೆ ಯಾವುದೇ ಸಾಲ ಮಾಡಲಾಗಲಿ ಅಥವಾ ಮಾರಾಟ ಮಾಡಲಾಗಲಿ ಅಥವಾ ಅಡಮಾನ ಮಾಡಲಾಗಲಿ ಅಥವಾ ಇನ್ನಾವುದೇ ರೀತಿಯಲ್ಲಿ ಅನ್ಯಾಧೀನ ಮಾಡಲಾಗಲಿ ಮಾಡುವುದಿಲ್ಲವೆಂದು ಒಪ್ಪಿಕೊಂಡಿದ್ದು ಸದರಿ ಜಮೀನಿನ ಕ್ರಯಪತ್ರವನ್ನು ಬರೆದುಕೊಡುವ ತನಕ ಸದರಿ ಜಮೀನಿನ ಮೇಲೆ ಯಾವುದೇ ಸಾಲ ಮಾಡಲಾಗಲಿ ಅಥವಾ ಮಾರಾಟ ಮಾಡಲಾಗಲಿ ಅಥವಾ ಅಡಮಾನ ಮಾಡಲಾಗಲಿ ಅಥವಾ ಇನ್ನಾವುದೇ ರೀತಿಯಲ್ಲಿ ಅನ್ಯಾಧೀನ ಮಾಡಲಾಗಲಿ ಮಾಡುವುದಿಲ್ಲವೆಂದು ಒಪ್ಪಿಕೊಂಡಿದ್ದು ಸದರಿ ಜಮೀನಿನ ಕ್ರಯಪತ್ರವನ್ನು ಬರೆದುಕೊಡುವ ತನಕ ಸದರಿ ಜಮೀನಿನ ಮೇಲೆ ಯಾವುದೇ ಸಾಲ ಮಾಡಲಾಗಲಿ ಅಥವಾ ಮಾರಾಟ ಮಾಡಲಾಗಲಿ ಅಥವಾ ಅಡಮಾನ ಮಾಡಲಾಗಲಿ ಅಥವಾ ಇನ್ನಾವುದೇ ರೀತಿಯಲ್ಲಿ ಅನ್ಯಾಧೀನ ಮಾಡಲಾಗಲಿ ಮಾಡುವುದಿಲ್ಲವೆಂದು ಒಪ್ಪಿಕೊಂಡಿದ್ದು

(5) ಅಧಿಕೃತ ಅರ್ಜಿ ನಂ 1784
ತಾ 3-2-91.

ಶ್ರೀಲಕ್ಷ್ಮಿ ಅಂಡ್ ಸನ್ಸ್ ಬಿಲ್ಡಿಂಗ್ ಮೆಟೀರಿಯಲ್ಸ್ ಸಪ್ಲೈಯರ್ಸ್ ಅಂಡ್ ಕಮಿಷನ್ ಏಜೆಂಟ್ಸ್

ಇಂದು ಆಯ್ದ ಪತ್ರದ 29ನೇ ಸಾಲಿನ ಸಂಖ್ಯೆ 733ನೇ ಅರ್ಜಿಯಲ್ಲಿ ಕೋರಿಕೊಂಡಂತೆ ಸದರಿ ಜಮೀನಿನ ಕ್ರಯಪತ್ರವನ್ನು ಬರೆದುಕೊಡಲು ಸಿದ್ಧರಿದ್ದು ಸದರಿ ಜಮೀನಿನ ಮೇಲೆ ಯಾವುದೇ ಸಾಲ ಮಾಡಲಾಗಲಿ ಅಥವಾ ಮಾರಾಟ ಮಾಡಲಾಗಲಿ ಅಥವಾ ಅಡಮಾನ ಮಾಡಲಾಗಲಿ ಅಥವಾ ಇನ್ನಾವುದೇ ರೀತಿಯಲ್ಲಿ ಅನ್ಯಾಧೀನ ಮಾಡಲಾಗಲಿ ಮಾಡುವುದಿಲ್ಲವೆಂದು ಒಪ್ಪಿಕೊಂಡಿದ್ದು ಸದರಿ ಜಮೀನಿನ ಕ್ರಯಪತ್ರವನ್ನು ಬರೆದುಕೊಡುವ ತನಕ ಸದರಿ ಜಮೀನಿನ ಮೇಲೆ ಯಾವುದೇ ಸಾಲ ಮಾಡಲಾಗಲಿ ಅಥವಾ ಮಾರಾಟ ಮಾಡಲಾಗಲಿ ಅಥವಾ ಅಡಮಾನ ಮಾಡಲಾಗಲಿ ಅಥವಾ ಇನ್ನಾವುದೇ ರೀತಿಯಲ್ಲಿ ಅನ್ಯಾಧೀನ ಮಾಡಲಾಗಲಿ ಮಾಡುವುದಿಲ್ಲವೆಂದು ಒಪ್ಪಿಕೊಂಡಿದ್ದು

(92)

(6) ಆಕಾಶವಾಣಿಯಲ್ಲಿ 781
ದಿನಾಂಕ 8-2-91.

(Copies)

Commissioner

ಪತ್ರ ಸಂಖ್ಯೆ:
ಕೆ.ಸಿ.ಆರ್ 589 ಕಛೇರಿ ತಹಶೀಲ್ದಾರರ ಕಛೇರಿ
ದಿನಾಂಕ 29-9-90.

To District Huzur.

Intimating that permission has been given to him after taking a muchilika and 30 years Kandayam

ಪತ್ರ ಸಂಖ್ಯೆ:
ಕೆ.ಸಿ.ಆರ್ 1042 ಕಛೇರಿ ತಹಶೀಲ್ದಾರರ ಕಛೇರಿ
ದಿನಾಂಕ 2-2-91.

To. Amildar

Countermanding this office Hukum No 656 dt 12/15-9-90, Govt having ordered to prohibit buildings

Bangalore Taluk 87

ಸಂಖ್ಯೆಗಳು
ಪತ್ರವ್ಯವಹಾರ
3/6 - 9 - 90
ಸ್ವೀಕರಿಸಿದ
5-15-

From the Amildar, Bangalore Taluk.

To. District ಸಮೀಪ.

Forwarding for perusal application from one Seshachella mudly for permission to build a house on portion 16 guntas of Survey No 15 measuring 1-13-0 A.V.G. and assessed at Rs 13/- offering to pay 30 years Kandayem and stating that this land is situated to the east of Palace Road and to the north of Mr. Krishna Murthi's Bungalow and soliciting orders as to whether this land can be given to the petitioner.

ಪತ್ರ ಸಂಖ್ಯೆ
ಆಫೀಸರ ಹೆಸರು
656 12/15-9-90.
To the Amildar

ordering to grant this land recovering from him 30 years Kandayem and taking a muchilika for building a house therein.

ಪತ್ರ ಸಂಖ್ಯೆ
ಆಫೀಸರ ಹೆಸರು
189 25-9-90.
From the Amildar Bangalore Taluk-
To. Seshachellu Modlu

Permitting him to build a house on the land after paying 30 years Kandayem.

ಮಾಲಿಕರಾದ ಶ್ರೀ ಎಂ. ಸಿದ್ದಪ್ಪ ಅವರ
ಸಂಸ್ಥೆಯಲ್ಲಿ ಕೆಲಸಕ್ಕೆ ಸೇರಿದ ಮೇಲೆ
ಅವರ ಪ್ರೀತಿ

on the Sites; remarking that the applicant hushed up the endorsement given to him by the municipality who refused to grant him a license that he obtained a permission through Taluk authorities; that he failed to obtain proper license from the municipality; and directing to stop progress of work as per Progs: No $\frac{1129}{452}$ of 12 January 1891; and submitting a refund bill for the 30 years Kanda-yam paid by him.

ಸ್ಥಳ ಪರಿಶೀಲನೆಯ ಸಮಯ ನಿರ್ಣಯ
ಅರ್ಜಿದಾರನು ಪುರಸಭೆಯವರು
ಕೊಟ್ಟ ಪರವಾನಗಿಯನ್ನು ಅಲಕ್ಷ್ಯ
ಮಾಡಿರುವುದಾಗಿಯೂ ತಾಲೂಕು
ಅಧಿಕಾರಿಗಳ ಮುಖಾಂತರ
12 ಜನವರಿ $\frac{1129}{452}$ ರಲ್ಲಿ
ಪರವಾನಗಿಯನ್ನು ಪಡೆದಿರುವುದಾಗಿಯೂ
ಪುರಸಭೆಯಿಂದ ಸರಿಯಾದ
ಪರವಾನಗಿಯನ್ನು ಪಡೆಯಲು
ವಿಫಲನಾಗಿರುವುದಾಗಿಯೂ
ಪುರಸಭೆಯಿಂದ $\frac{2074}{112}$ ರಲ್ಲಿ
ಕೆಲಸವು ನಡೆಯುತ್ತಿರುವುದಾಗಿಯೂ
ಅರ್ಜಿದಾರನು ಕೊಟ್ಟ ಅರ್ಜಿಯಲ್ಲಿ
ಕೆಲಸವನ್ನು ನಿಲ್ಲಿಸಲು ಆಜ್ಞೆ
ಮಾಡಿರುವುದಾಗಿಯೂ
ಅರ್ಜಿದಾರನು ಪುರಸಭೆಯವರಿಗೆ
ಕೊಟ್ಟ ಅರ್ಜಿಯಲ್ಲಿ
ಪ್ರಸ್ತಾಪಿಸಿರುವುದಾಗಿಯೂ
ಅರ್ಜಿದಾರನು ಕೊಟ್ಟ ಅರ್ಜಿಯಲ್ಲಿ
ಪ್ರಸ್ತಾಪಿಸಿರುವುದಾಗಿಯೂ
ಅರ್ಜಿದಾರನು ಕೊಟ್ಟ ಅರ್ಜಿಯಲ್ಲಿ
ಪ್ರಸ್ತಾಪಿಸಿರುವುದಾಗಿಯೂ
ಅರ್ಜಿದಾರನು ಕೊಟ್ಟ ಅರ್ಜಿಯಲ್ಲಿ
ಪ್ರಸ್ತಾಪಿಸಿರುವುದಾಗಿಯೂ

ಸ್ವಂತಿಸಿ ಅಧಿಕಾರಿಗಳಿಗೆ ತಿಳಿಸಿ ತಿಂಗಳಿಗೆ 30 ಕಾಲು ಮೀ ಅಳತೆಯಲ್ಲಿ ಕಂದಾಯ ಅಧಿಕಾರಿಗಳಿಂದ ಕರಡು ದಸ್ತಾವೇಜುಗಳನ್ನು ತಯಾರಿಸಿ ಸಾರ್ವಜನಿಕರಿಗೆ ಅನುಕೂಲವಾಗುವಂತೆ ಸೇವೆಯನ್ನು ಒದಗಿಸಲು ಸರ್ಕಾರವು 656 ಕಂದಾಯ ಅಧಿಕಾರಿಗಳಿಗೆ ತರಬೇತಿ ನೀಡಿದೆ. ಆದರೆ ಇದುವರೆಗೂ ಕೆಲವೇ ಕೆಲವು ಅಧಿಕಾರಿಗಳು ಮಾತ್ರ ಈ ಸೌಲಭ್ಯವನ್ನು ಬಳಸಿಕೊಂಡಿದ್ದಾರೆ. ಉಳಿದವರು ಈ ಸೌಲಭ್ಯವನ್ನು ಬಳಸಿಕೊಳ್ಳುವಂತೆ ಪ್ರೇರೇಪಿಸಲು ಸರ್ಕಾರವು ಏನಾದರೂ ಕ್ರಮ ಕೈಗೊಂಡಿದೆಯೇ? ಇದ್ದಲ್ಲಿ ಆ ಕ್ರಮಗಳೇನು? ಇಲ್ಲದಿದ್ದಲ್ಲಿ ಕಾರಣವೇನು?

ಸಂಖ್ಯೆಗಳಲ್ಲಿ ಕಂದಾಯ ಅಧಿಕಾರಿಗಳಿಗೆ ತರಬೇತಿ ನೀಡಿದೆ.

ಸಂ 31 ಕಂ 15-4-91. ಅಮಲ್ದಾರ ಅಧಿಕಾರಿಗಳಿಗೆ ತರಬೇತಿ ನೀಡಿದೆ.

To. Amldar

Drawing attention

92.

to the above order and directing to report the cause of delay and to submit the refund bill.

23-4-91.

To. District Magistrate

Stating that a notice was issued to Seshachella Mudaliar and submitting

T.R.

T.R. refund bill.

Cheque No. 19 D/12-6-91 for the amount of refund was received from the District Treasury:- The record connected with the case was not received along with the Cheque.

(Copies)

Commissioner

To

The Dewan Bahadur

To His Highness

the Maharajah of Mysore

BANGALORE.

The MEMORIAL of V. SASHACHELLAM MOODELLIAR,
son of the late V. Aroonachellam Moodelliar,
Civil and Military Station, Bangalore.

Most Humbly and Respectfully Sheweth:

MAY IT PLEASE YOUR HONOUR

THAT Your humble Memorialist respectfully craves permission to approach Your Honour with this Memorial and to represent to Your Honour the circumstances connected with the purchase by him of a building site, as also the manner in which he has been treated and the hardship he has been made to experience and the very heavy losses he has already been (and is likely further to be) subjected to in connection with the purchase of the said building site.

II. THAT Your humble Memorialist respectfully craves permission to set forth the following facts for the favourable consideration of Your Honour, namely:

(1.) *That* he had purchased for the sum of Rs 3,500 the land Survey No 15, situate in the village of Ooparhully of the Bangalore Taluq;

(2.) *That* the said land was purchased for the sole purpose of building thereon;

(3.) *That* soon after he had purchased the said land he applied to the City Municipality for the necessary permission to build thereon;

(4.) *That* on such application he was ordered to furnish the particulars of the land and its assessment;

(5.) *That* thereupon, finding that the said land was situate within the Revenue jurisdiction of the Amildar of Bangalore, he was induced to apply to that officer for the necessary permission to build thereon;

(6.) *That* the Amildar of Bangalore finding the application for sanction to build to be in order and unobjectionable, did, with the consent and approval of the Deputy Commissioner of the Bangalore District and President of the City Municipality, accord the necessary sanction to build;

(9 57

(7) *That* thereupon the necessary materials for building were collected, large advances were made to contractors and workmen, and Your humble Memorialist commenced to build, foundations were laid, the basement raised, and the building was being proceeded with,

(8) *That* the work referred to in the last preceding paragraph had occupied the space of five months, when Your humble Memorialist was suddenly directed to cease and discontinue the building, the reason alleged being that the land in question formed part of the area wherein and whereon the erection of buildings was prohibited, unless and until the special sanction of the government had been previously obtained;

(9) *That* on the receipt of the said Order he complied with the direction therein contained and all work was immediately stopped;

(1) Petition dated 21st August 1891
(2) " " 2nd Feby 1892
(3) " " 5th Sept 1892
(4) " " 22nd Oct 1892
(5) " " 5th Jany 1893
(6) " " 5th May 1893
(7) " " 8th July 1883
(8) " " 28th July 1893

(10) *That* thereupon Your humble Memorialist was induced to submit the several applications and petitions (as noted in the margin) both to Your Honour and the Councillors, setting forth his case in detail and praying for early orders thereon;

(11) *That* although the period of nearly two and a half years has transpired, Your humble Memorialist has not up to date, been favored with any orders, either for or against his request to continue the building in question.

III THAT Your humble Memorialist respectfully craves permission to bring to the notice of Your Honour that the said land was purchased with the sole object of erecting an artistic and ornamental building thereon.

IV. THAT so far as Your Humble Memorialist is aware,and is informed and believes, neither during the British Rule nor under Your Honour's benevolent administration, have any of the notifications been issued whereby buildings in certain areas in certain localities are prohibited and which are, or could be made, applicable to the land in question.

V. THAT Your humble Memorialist respectfully submits that in the absence of any Notification prohibiting the erection of buildings on the land in question, combined with the ready compliance with the request for sanction to build at the hands of both the Revenue and Municipal Authorities, he was encouraged to build and to make all the necessary preparations for the erection of the building in question.

VI. THAT had Your humble Memorialist at the time the said land was purchased by him the slightest idea of the existence of any Notification or Order prohibiting the erection of buildings on the land in question, he would not have purchased the land, nor would he have expended so large a sum of money in the shape of purchase-money, collecting materials, laying the foundation, erecting and raising the basement, and in large advances to contractors and workmen.

VII. THAT Your humble Memorialist respectfully craves permission to submit for Your Honour's most favourable and benevolent consideration the great hardship inflicted by the Order now complained against and not only of the very heavy loss that has consequently already been entailed upon him, in the shape of interest on his capital and sums advanced, the deterioration and wastage of the materials exposed, as they have been for so long a time, to the sun and the rains, but also of the further losses he is being daily subjected to,

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VIII. THAT Your Humble Memorialist most respectfully solicits that Your Honour may even now be pleased to favourably consider his case and that Your Honour will be pleased to direct that the Order now complained against may be cancelled and that the building may be permitted to be continued and completed.

IX. THAT Your humble Memorialist humbly solicits that Your Honour may be pleased to call for the records hereinbefore referred to and comply with his requests as above contained and thus protect Your Humble Memorialist, who respectfully ventures to describe himself as Your Honour's Most Obedient and Humble Servant.

And Your Humble Memorialist
shall as in duty bound,
EVER PRAY.

V Sashachellam Chetty

DATED, BANGALORE,
The 11th day of September 1893.

97

9 23-9-93
28. 35

No 254.

Endorsement passed to V. Sashachellam Moodelliar, Civil and Military Station Bangalore in reply to his memorials dated 28th July and 4th September 93 praying for the withdrawal of the prohibition against his building on land Survey No 15 in Upparhalli, Bangalore.

Drawl 26-90-10

The Petitioner is informed that the Government have carefully considered the memorials submitted by him and the papers relating to his application for permission to build on the land, but feel constrained to refuse the application. The prohibition of new buildings between No 1 Miller's tank and the Palace Southern gate Road on one side and Cunningham Road on the other [illegible]

9d

in July 1887. to protect
Millers tanks from pollution
in the interests of the
Cantonment and the British
Troops, and it is most
undesirable from every
point of view to make
any exception to that order

By Order

Chief Secretary

No. 5806.
Pet. 527

Copy to Dy & Pres Sd.
Mr Hd Bangalore Distt
for information

Mr Acting
Devans
Minute 9. 12/87

(General Serial No. 32.)

1894.

L 3236

99

No. 2897

Name of Petitioner. V. Seshachellum Modliar

Village. C & M. station

Taluk.

District. Bangalore

Date of Arzi. 22-3-94

Date of Receipt. 30-3-94

Date of Disposal.

No. of Enclosures. one

ABSTRACT. Review application

Requests that the order, contained in this office endorsement no: 2571 dated 28th ult September 1893, may be kindly reconsidered as it has made him a great loser & has subjected him to anxiety & grief & as all these misfortunes were brought on him through no fault of his own, sent through the proper channel of the Govt authorities who permission to commence the building & that he may be granted the course of proceeding with the construction already begun.

Rec'd Sir Kennaway Papers on Petn

To L. S. Branch for compliance

Recd 26-9-94

SG 11

Sir May this be sent to Camp office where the papers are?

SG 12/4/94

Submitted

B Leigh

5806 dy 23/9/93
527

to Chief Sec'y with the Pet.

(100)

To Mr Pte

Please
Make up
the file in
proper form
for Quarter Sessions -
Depositions to be
read & endorsed
prior to handing
or taking to the
Revenue - Insert
the following before
Mr Pte - A list
of papers should also be
included

Thanks
2/7/94

Sir.
Submitted with a
bill.
6.7.94
Subd for
the Revenue
orders

To

HIS EXCELLENCY

SIR K. SHESHADRI IYER, K.C.S.I.,

Dewan of Mysore,

BANGALORE.

May it please Your Excellency,

THE HUMBLE MEMORIAL OF V. SESHACHELLUM MOODALIAR, RESIDING IN THE CIVIL AND MILITARY STATION, BANGALORE.

SHEWETH AS FOLLOWS:—

THAT the humble memorialist in his memorial to Government prayed for the withdrawal of the prohibitory order against his building on his land, survey No. 15 in Upparhully, Bangalore Taluk.

II. That the humble memorialist was, in reply, favoured with endorsement No. 254 of the 28th September '93, stating that the prohibition was ordered in 1887 to protect Miller's Tank from pollution, in the interests of the Cantonment and British Troops, and that it was most undersirable to make any exception to that order.

III. That the said order has made the humble memorialist not only a great loser, but subjected him to much anxiety and grief. He has, therefore, ventured once again to represent his case and pray for a re-consideration of the same.

IV. That the humble memorialist begs to submit:—

1. That he has been entirely ignorant of the order of 1887 referred to. The only notifications on the subject of prohibited areas contain no reference whatever to the locality in question;

2. That even the Government authorities concerned in the question seem to have been in utter ignorance of the said order of 1887, as is evident from the fact that the Revenue and Municipal authorities unreservedly granted to the memorialist the required permission to build and had no idea of interfering with the building while it was in progress for *five months* together.

3. That if, at the very beginning, there had been the slightest question raised, or, if there had been any means of ascertaining whether the locality in question had been included in the prohibited areas, the humble memorialist would not, nay, could not, have ventured upon a hopeless undertaking; but, on the contrary, he would have been saved the expenditure of some thousands of Rupees, the wastage of valuable materials, the vexatious toil and trouble and the present distress of mind—to all such losses he having now been needlessly subjected;

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4. That the City Municipal Engineer, also, after personal inspection of the building site in question, recommended the grant of the necessary permission ;

5. And that the humble memorialist's right to build and to finish the building already commenced cannot be annulled ; because such right was fully recognized and unconditionally granted by the Government; for the Revenue authorities who granted to him the right to build and the Municipal authorities who allowed the raising of the building for so long a period as five months, represent Government. After the humble memorialist had enjoyed the right in question *at a great sacrifice of money* for five months together, the withdrawal from him of the said right cannot but be an insufferable wrong to him.

V. That as regards the fact that the prohibitory order in question is intended to protect Miller's Tank from pollution, the humble memorialist begs to submit the following points for Your Excellency's favourable consideration —:

1. The reservoir No. I. (which is the one that receives all the water from the surrounding locality) is situate midway between Upparhully and Dobbspett ; and all the water coming from these villages finds its way into the Reservoir which is also surrounded by a few latrines ; so that the water is not used for drinking purposes, it being always saturated with filth one way or other.

2. The relative positions of the Reservoir and the land in question are roughly sketched out in the enclosed plan which shows that the land in question is on the east side of Cathcart Road and on the west side of the Reservoir. Betwixt the land and the Reservoir there are many gardens with heaps of filthy manure and with vegetables grown. All the water falling on the said land seeks its way, along with that of the neighbouring Bungalows into a Municipal drain which empties itself into the Reservoir in question. The construction of a Bungalow would make no difference whatever. Whether a Bungalow is built or whether the land is allowed to lie waste, the rain water now and hereafter falling on the locality in question must run into the drain, excepting what soaks into the ground.

3. If it is supposed that the construction of a Bungalow will bring additional sewage, dirty water and fifth and thus add pollution to the water in the Reservoir, such pollution cannot be prevented by the prohibitory order in question, so long as the two villages already named and the surrounding 18 Bungalows continue to be where they are and what they are. The memorialist is, however, quite willing to construct, as suggested by the Municipal Engineer, water-tight cisterns for the deposit of sewage and other filthy matter in view to their being removed through the Municipal agency daily.

4. The Municipal Engineer has very clearly stated his conviction that the erection of a Bungalow will in no other way help to pollute the water supply of Miller's Tank. If efficient arranguments are made for the daily removal of sewage, the only water which, as usual, will seek its way into the drain, is the rain-water. Whether a building is constructed or not, this rain-water will continue to flow in the same direction as heretofore.

5. The humble memorialist begs to add that it is the water of the Reservoirs Nos. II and III that is used for drinking purposes and that the erection of a Bungalow on his land in question would in no way interfere, nor would the sewage from the Bungalow have any sort of connection, with the Reservoirs Nos. II and III.

VI That the humble memorialist prays for a review and reconsideration of the justice of the prohibitory order in question, especially in the light of his very heavy loss, side by side with the other facts explained above. The payment of a very large sum of money for the purchase of the land in question, the large sums advanced for the purchase of necessary materials and to contractors, the wastage of the materials purchased, the heavy interest paid on the capital laid out, for so many years, and lastly the great mental worry and trouble in consequence of the said order—all these misfortunes brought on him through no fault of his own but through the sanction of the Government authorities who permitted him to commence the building work, deserve to be considered with the utmost generosity.

VII. That the humble memorialist earnestly prays that his case may be dealt with as a special one and that in consequence of the heavy loss he has sustained he may be granted the concession of proceeding with the construction already begun.

And Your Excellency's humble memorialist will ever pray.

BANGALORE,
22nd March ~~January~~ 1894.

V. Pashal Chellumpood